

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Valerie Ann Collins,)
)
 Plaintiff,) Civil Action No.: 0:17-835-TLW
)
 v.)
)
 Nancy A. Berryhill, Acting Commissioner)
 of Social Security,)
)
 Defendant.)
)

ORDER

Defendant.)

Plaintiff Valerie Ann Collins (Plaintiff) brought this action pursuant to 42 U.S.C. § 405(g) and 1383(c)(3) to obtain judicial review of a final decision of the Defendant Nancy A. Berryhill, Acting Commissioner of Social Security (Commissioner), denying her claims for Disability Insurance Benefits. ECF No. 1. This matter is before the Court for review of the Report and Recommendation (the Report) filed on May 9, 2018, by United States Magistrate Judge Paige J. Gossett, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a), (D.S.C.). ECF No. 18. In the Report, the Magistrate Judge recommends reversing the Commissioner's decision and remanding the case. *Id.* On May 21, 2018, the Commissioner filed a notice that there are no objections to the Report. ECF No. 19. This matter is now ripe for disposition.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "a district court need not conduct a *de novo* review, but instead must 'only satisfy itself that there is

no clear error on the face of the record in order to accept the recommendation.”” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

In light of this standard, the Court has carefully reviewed the Report and the other relevant filings and notes that the Commissioner has no objection to the Report. ECF No. 19. After careful consideration, the Court concludes that it is appropriate to remand this case for further consideration and discussion of the opinion testimony.¹ It is hereby **ORDERED** that the Report, ECF No. 18, is **ACCEPTED**. For the reasons articulated by the Magistrate Judge, the Commissioner’s decision is **REVERSED** and this case is **REMANDED** to the Commissioner for further proceedings consistent with the Report and with this Order.

IT IS SO ORDERED.

s/Terry L. Wooten
TERRY L. WOOTEN
Chief United States District Judge

May 29, 2018
Columbia, South Carolina

¹ As noted in the Report, the Court need not address Plaintiff’s remaining arguments because they may be rendered moot on remand.